

Chapter 20. The Hazardous Waste Permit Program.

Article 6.5

§66270.69.1 Standardized Permit.

(a) Notwithstanding any other provisions of this division, offsite or onsite treatment or storage activities, other than those specified in paragraphs (1) through (3) of this section, that do not require a permit under the federal act may be eligible for a standardized permit pursuant to section 25201.6 of the Health and Safety Code. The following are not eligible for a standardized permit:

- (1) used oil recycling activities as defined in Health and Safety Code section 25250.1;
- (2) recycling or reclamation of federally regulated solvents identified by EPA hazardous waste numbers F001, F002, F003, F004 and F005 pursuant to 40 Code of Federal Regulations section 261.31; and
- (3) units that are not authorized to operate pursuant to Title 22, California Code of Regulations, Division 4.5, Chapter 14 or Chapter 15 that engage in incineration, thermal destruction or land disposal activities.

(b) Each hazardous waste treatment or storage facility conducting activities pursuant to a standardized permit shall be designated as a Series A, Series B or Series C standardized permit facility as defined in Health and Safety Code section 25201.6.

(c) A facility that performs activities that meet the criteria for more than one of the standardized permit series shall be classified as the highest of the applicable series.

NOTE: Authority cited: Sections 25150, 25201.6, 58004 and 58012, Health and Safety Code, Reference: Sections 25150, 25201.6 and 25250.1, Health and Safety Code.

HISTORY

1. New article 6.5 (sections 66270.69.1-66270.69.5) and renumbering and amendment of former section 66270.69 to new section 66270.69.1 filed 9-6-2007; operative 10-6-2007 (Register 2007, No. 36).

§ 66270.69.2. Application for a Standardized Permit.

(a) An applicant who conducts or wishes to conduct an activity that qualifies for a standardized permit pursuant to Health and Safety Code section 25201.6 and section 66270.69.1 of this article, shall submit an application package that includes information equivalent to the following portions of chapters 14, 20 and 21 of title 22, division 4.5 of the California Code of Regulations:

- (1) Articles 1 through 5, 7, 8, 9 and 10 of chapter 14. The applicant may comply with the financial responsibility requirements of section 66270.69.4 of this article in lieu of the financial responsibility requirements of article 8 of chapter 14;
- (2) Article 1, sections 66270.10 through 66270.16 of article 2, and articles 3 through 5 of chapter 20; and
- (3) Article 1 of chapter 21.

Note: Authority cited: Sections 25150, 25201.6 and 58012, Health and Safety Code. Reference: Sections 25150 and 25201.6, Health and Safety Code.

HISTORY

1. New section filed 9-6-2007; operative 10-6-2007 (Register 2007, No. 36).

§ 66270.69.3. Requirements for Standardized Permit Facilities.

(a) A facility with an existing permit issued pursuant to Health and Safety Code section 25200 may have its permit converted directly to a standardized permit, using the Class 1 permit modification procedures as specified in section 66270.42 or 66270.42.5. In addition to all other applicable requirements, the owner or operator of a facility eligible for the standardized permit tier pursuant to section 66270.69.1 shall comply with all of the following:

- (1) Articles 1 through 5, 7, 9 and 10 of title 22, Chapter 14 of this division;
- (2) section 66264.175 regarding secondary containment for containers; and
- (3) section 66270.69.4 regarding financial responsibility compliance.

Note: Authority cited: Sections 25150, 25201.6, 58004 and 58012, Health and Safety Code. Reference: Sections 25150 and 25201.6, Health and Safety Code.

HISTORY

1. Renumbering of former section 67800.1 to new section 66270.69.3, including amendment of section and Note, filed 9-6-2007; operative 10-6-2007 (Register 2007, No. 36).

§ 66270.69.4. Financial Responsibility for Facilities Operating Under a Standardized Permit.

The owner or operator of a facility that operates pursuant to a standardized permit issued pursuant to Health and Safety Code section 25201.6 shall comply with chapter 14, article 8, except as follows:

(a) Series A facilities, as defined by Health and Safety Code section 25201.6(a)(1), shall have and maintain liability coverage for sudden accidental occurrences in the amount of at least \$1 million per occurrence with an annual aggregate of at least \$2 million, exclusive of legal defense costs.

(b) Series B facilities, as defined by Health and Safety Code section 25201.6(a)(2), Series C facilities, as defined by Health and Safety Code section 25201.6(a)(3), that treat or store reactive, ignitable or extremely hazardous waste and Series C facilities that treat solvents in accordance with Health and Safety Code section

25201.6(g)(2) shall have and maintain liability coverage for sudden accidental occurrences in the amount of at least \$500,000 per occurrence with an annual aggregate of at least \$1 million, exclusive of legal defense costs.

(c) Series C facilities, as defined by Health and Safety Code section 25201.6(a)(3), shall have and maintain liability coverage for sudden accidental occurrences in the amount of at least \$300,000 per occurrence with an annual aggregate of at least \$600,000, exclusive of legal defense costs.

(d) Notwithstanding subdivision (c) of this section, Series C facilities that treat no more than 1,500 gallons of liquid hazardous waste or 3,000 pounds of solid hazardous waste in any calendar month, or have a maximum storage capacity of no more than 15,000 gallons of liquid hazardous waste or 30,000 pounds of solid hazardous waste, shall have and maintain liability coverage for sudden accidental occurrences in the amount of at least \$100,000 per occurrence with an annual aggregate of at least \$200,000, exclusive of legal defense costs.

(e) An owner or operator of more than one facility that operates pursuant to a standardized permit may meet the liability coverage requirements of this section by having and maintaining liability coverage at the level required for the facility that is regulated at the highest standardized permit series.

(f) An owner or operator of one or more facilities that operate pursuant to a standardized permit, who also owns or operates one or more facilities regulated pursuant to a hazardous waste facility permit, may meet the liability coverage requirements of this section by having and maintaining sudden liability coverage as required by section 66264.147(a).

(g) An owner or operator of one or more facilities that operate pursuant to a standardized permit, who also owns or operates one or more facilities that operates pursuant to interim status granted pursuant to Health and Safety Code section 25200.5 may meet the liability coverage requirements of this section by having and maintaining liability coverage as required by section 66265.147(a).

Note: Authority cited: Sections 25143.13, 25150, 25200.1, 25201.6, 25245, 58004 and 58012, Health and Safety Code. Reference: Sections 25143.13, 25150, 25200.1, 25200.5, 25200.9 and 25201.6, Health and Safety Code.

HISTORY

1. Renumbering of former section 67800.5 to new section 66270.69.4 filed 9-6-2007; operative 10-6-2007 (Register 2007, No. 36).

§ 66270.69.5. Transportable Treatment Unit Standardized Permit.

(a) The owner or operator of a TTU that treats reactive wastes or extremely hazardous wastes, the treatment of which does not require a permit under the federal act, is eligible for a TTU Standardized Permit, except when conducting the following activities:

- (1) used oil recycling activities as defined in Health and Safety Code section 25250.1;
- (2) recycling or reclamation of federally regulated solvents identified by EPA hazardous waste numbers F001, F002, F003, F004 and F005 pursuant to 40 CFR section 261.31.

(3) operating treatment units that are not authorized pursuant to Title 22, California Code of Regulations, Division 4.5, Chapter 14 or Chapter 15 that engage in incineration, thermal destruction or land disposal activities.

(b) To apply for a TTU Standardized Permit, the owner or operator shall submit to Department the following information dated and signed as required by section 66270.11 for TTU operation:

- (1) name, mailing address, and telephone number of both the owner and operator of the TTU;
- (2) name and address or legal description of the location where the TTU is stored when not in use;
- (3) identification number of the location where the TTU is stored, if any, and Board of Equalization account number;
- (4) a description of the specific waste type(s) that will be treated;
- (5) a description of the treatment process(s) that will be used;
- (6) a description of how all treatment effluents and residuals will be managed;
- (7) the serial number of the TTU for which a permit is requested;
- (8) information as to whether the TTU operation is new or existing;
- (9) a detailed sampling and waste analysis plan describing how representative samples will be collected and analyzed during TTU operations as required by section 66264.13;
- (10) a description of procedures to prevent the release of hazardous waste and constituents to air, soil and groundwater during TTU operations;
- (11) information on how the owner of the property where the TTU is stored will be notified that the TTU is being stored on the property;
- (12) a description of preparedness and prevention procedures for the TTU operations, as required pursuant to chapter 14, article 3 of this division for the TTU operations;
- (13) training documents as specified in section 66264.16(d)(4);
- (14) a copy of the contingency plan for as specified by chapter 14, article 4 of this division;
- (15) documentation of compliance with article 8 of chapter 14 of this division for financial responsibility; and
- (16) a written closure plan as specified by section 67450.3(a)(13)(B).

(c) The owner or operator of the TTU shall discharge any effluent or treatment residual during TTU operation pursuant to section 67450.3(a)(7).

(d) The Department shall issue, modify, reissue, deny or revoke the permit for TTU operation pursuant to the procedures in Chapter 21 except for section 66271.2(a).

(e) The Department shall not begin the processing of a permit until the applicant has fully complied with subsection (b) of this section for that permit.

(f) California Environmental Quality Act (CEQA) information requirements. Unless the Department has determined that the activity to be permitted is exempt from the requirements of CEQA pursuant to title 14, CCR, section 15061, the applicant shall submit all information necessary to enable the Department to prepare an Initial Study meeting the requirements of title 14, CCR, section 15063.

(g) The owner or operator of the TTU shall submit to the Department, for each site where the TTU will perform treatment, site-specific information, as specified by subsections 67450.3(a)(3)(A) and (C), and a certification, signed by the owner or operator, specifying the local authorities that have been notified of the intended date(s) of operation, pursuant to section 67450.3(a)(3)(B). The site-specific information shall be submitted at least twenty-one (21) days prior to each site visit, unless the Department approves a shorter period of time upon a showing of good cause by the owner or operator. The information shall be completed, dated and signed according to the requirements of section 66270.11.

(h) If the owner or operator of the TTU is the generator of the waste influents treated by the TTU, the owner or operator is subject to the corrective action requirements specified in section 66264.100.

(i) The TTU may only be stationed and operated at a site if the conditions specified in section 67450.3(a)(8) are met.

(j) The owner or operator of a TTU who uses rental equipment shall do all of the following:

(1) prior to use of the TTU, notify the rental equipment owner of how the rental equipment will be used;
 (2) properly remove and/or decontaminate equipment, structures, soil and all collected materials and wastes after termination of the TTU operation and assure that all contaminated materials and wastes are removed by a registered hazardous waste transporter or as otherwise authorized by law.

(3) certify in writing to the rental equipment owner that the rental equipment has been properly decontaminated; and

(4) keep copies of all correspondence related to rental equipment for three (3) years.

(k) The owner or operator of the TTU shall prepare and submit an annual report for TTU operation to the Department as specified in section 67450.3(a)(12). (l) The owner or operator of the TTU shall maintain compliance for TTU operation with the following requirements:

(1) H&SC, sections 25200.2, annual and facility fees.

(2) H&SC, section 25205.7, application processing fee requirements.

(3) section 66264.11, Identification Number.

(4) section 66264.14, Security Requirements.

(5) section 66264.15, General Inspection Requirements.

(6) section 66264.17, General Requirements for Ignitable, Reactive, or Incompatible Wastes.

(7) section 66264.114, Disposal or Decontamination of Equipment, Structures and Soils.

(8) sections 66264.117, 66264.118, 66264.119, and 66264.120, post closure requirements.

(9) section 66264.143, Financial Assurance for Closure.

(10) chapter 14 of this division:

(A) article 5. Manifest System, Recordkeeping and Reporting (except for sections 66264.73(b)(2), 66264.73(b)(6), 66264.73(b)(7), 66264.73(b)(15) and 66264.75;

(B) article 9. Use and Management of Containers; and

(C) article 10. Tank Systems.

(11) chapter 15, article 17; Chemical, Physical, and Biological Treatment

(12) section 66270.42, Permit Modification at the Request of the Permittee.

(m) If treatment is conducted in containers and/or tanks, the owner or operator of TTU shall comply with the containment requirements of sections 66264.175 and 66264.193, respectively.

(n) The owner or operator of the TTU shall maintain the TTU Standardized Permit and the documents specified in subsections (g), (j) and (k) of this section at the site or facility where the TTU is operating. The owner or operator shall make these documents available upon demand at the site or facility to any representative of the Department, the U.S. Environmental Protection Agency or a local governmental agency.

Note: Authority cited: Sections 25150 and 58012, Health and Safety Code. Reference: Sections 25150 and 25200.2, Health and Safety Code.

HISTORY

1. Renumbering of former section 66270.67 to new section 66270.69.5 filed 9-6-2007; operative 10-6-2007 (Register 2007, No. 36).